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DISTRICT OF NEVADA	
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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:17-CR-061-APG-(CWH)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 KELLY LUANNE SCHAIBLE, AKA:)
12 KELLY REED, AKA: HEATHER LANE,)
13 Defendant.)

14 This Court finds that defendant Kelly Luanne Schaible, aka: Kelly Reed, aka: Heather
15 Lane, pled guilty to Counts Three and Twenty-One of a Twenty-Five-Count Indictment charging
16 her in Count Three with Wire Fraud in violation of Title 18, United States Code, Section 1343
17 and in Count Twenty-One with Introduction of Misbranded Medical Devices Into Interstate
18 Commerce in violation of Title 21, United States Code, Sections 331(a). Indictment, ECF No. 1;
19 Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

20 This Court finds defendant Kelly Luanne Schaible, aka: Kelly Reed, aka: Heather Lane,
21 agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture
22 Allegations of the Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea
23 Agreement, ECF No. __.

24 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
25 America has shown the requisite nexus between property set forth in the Plea Agreement and the
26 ///

1 Forfeiture Allegations of the Indictment and the offenses to which defendant Kelly Luanne
2 Schaible, aka: Kelly Reed, aka: Heather Lane, pled guilty.

3 The following property is (1) any property, real or personal, which constitutes or is
4 derived from proceeds traceable to violations of Title 18, United States Code, Section 1343, a
5 specified unlawful activity as defined in Title 18, United States Code, Sections 1956(c)(7)(A)
6 and 1961(1)(B), or a conspiracy to commit such offense; (2) any property, real or personal,
7 which constitutes or is derived from proceeds traceable to violations of Title 21, United States
8 Code, Section 331(a), a specified unlawful activity as defined in Title 18, United States Code,
9 Section 1956(c)(7)(F), involving a Federal health care offense as defined in Title 18, United
10 States Code, Section 24, or a conspiracy to commit such offense; (3) property, real or personal,
11 that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the
12 commission of Title 18, United States Code, Section 1343 and Title 21, United States Code,
13 Section 331(a), Federal health care offenses as defined in Title 18, United States Code, Section
14 24; and (4) any drug that is a counterfeit drug, any container of a counterfeit drug, any punch,
15 die, plate, stone, labeling, container, or other thing used or designed for use in making a
16 counterfeit drug or drugs, any adulterated or misbranded device, and any adulterated or
17 misbranded tobacco product, as the result of violations of Title 21, United States Code, Section
18 331(a), and is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C)
19 with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section
20 982(a)(7); Title 21, United States Code, Section 334(a)(2) with Title 28, United States Code,
21 Section 2461(c); and Title 21, United States Code, Section 853(p):

- 22 1. 1998 Baja Boat and Trailer, Serial No. AGC56001E798;
- 23 2. 2007 Lexus Model GX 470, VIN: JTJBT20XX70146356;
- 24 3. \$614.52;
- 25 4. \$448.09;
- 26 5. \$34,646.88;

1 6. \$14,240;

2 7. HP Computer, serial number CNF00833BX;

3 8. HP "All in One", serial number 3CR9380CR3;

4 9. iPhone;

5 10. Cooler box containing Botulinum Toxin (BT);

6 11. Brown envelope containing United States Postal Service return from Germany
7 with two vials of BT;

8 12. Box containing Hyaluronic acid and plastic bins;

9 13. Cooler box containing BT and hyaluronic acid;

10 14. Plastic bag containing vials with white powder;

11 15. Box containing miscellaneous misbranded drugs – "Careprost", "Radlesse", and
12 "Travantan"; and

13 16. Plastic bag containing 5 boxes of Reyounge

14 (all of which constitutes property).

15 This Court finds the United States of America is now entitled to, and should, reduce the
16 aforementioned property to the possession of the United States of America.

17 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
18 the United States of America should seize the aforementioned property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights,
20 ownership rights, and all rights, titles, and interests of Kelly Luanne Schaible, aka: Kelly Reed,
21 aka: Heather Lane, in the aforementioned property is forfeited and is vested in the United States
22 of America and shall be safely held by the United States of America until further order of the
23 Court.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
25 America shall publish for at least thirty (30) consecutive days on the official internet government
26 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited

1 property, state the time under the applicable statute when a petition contesting the forfeiture must
2 be filed, and state the name and contact information for the government attorney to be served
3 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
4 Section 853(n)(2).

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
6 entity who claims an interest in the aforementioned property must file a petition for a hearing to
7 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
8 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
9 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
10 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
11 facts supporting the petitioner's petition and the relief sought.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
13 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
14 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
15 sixty (60) days after the first day of the publication on the official internet government forfeiture
16 site, www.forfeiture.gov.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
18 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
19 the following address at the time of filing:

20 Michael A. Humphreys
21 Assistant United States Attorney
22 501 Las Vegas Boulevard South, Suite 1100
23 Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
25 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
26 agency following publication of notice of seizure and intent to administratively forfeit the above-
described property.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
2 of this Order to all counsel of record.

3 DATED this 6 day of July, 2018.

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6 UNITED STATES DISTRICT JUDGE
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